

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

Civil Action No.  
03 MDL 1570 (RCC)  
ECF Case

**NOTICE OF MOTION**

This document relates to:

Thomas E. Burnett, Sr., et al. v. Al Baraka  
Investment and Development Corp., et al.,  
03 CV 9849 (RCC) (originally filed in the District of Columbia)

PLEASE TAKE NOTICE that, upon the annexed Declaration of Kenneth A. Caruso in Support of Defendant Yousef Jameel's Motion to Dismiss, dated July 16, 2004, including the exhibits attached thereto, and the accompanying Memorandum of Law in Support of Motion to Dismiss, dated July 16, 2004, the undersigned will move this Court, before the Honorable Richard C. Casey, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an order dismissing this action, as against Defendant Jameel, pursuant to Fed. R. Civ. P. 12(b)(2), for lack of personal jurisdiction, or Fed. R. Civ. P. 12(b)(6), for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that, pursuant to a Stipulation and Order filed on June 18, 2004, any papers in opposition to this motion must be served by Plaintiffs on or before October 15, 2004, and that any reply papers in further support of this motion must be served by Mr. Jameel on or before December 17, 2004.

Dated: New York, New York  
July 16, 2004

CHADBOURNE & PARKE LLP

By /s/ Kenneth A. Caruso  
Kenneth A. Caruso (KC-7769)  
A Member of the Firm  
30 Rockefeller Plaza  
New York, New York 10112  
(212) 408-5100

By /s/ Viet D. Dinh  
Viet D. Dinh (VD-1388)  
Pro Hac Vice (application pending)  
600 New Jersey Ave., NW  
Washington, DC 20001  
(202) 662-9324

Attorneys for Defendant Yousef Jameel

TO: All Counsel of Record (via ECF)